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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$55.00

Complete if Known

RECEIVED
MAR 03 2004

Application Number
10/031,477Filing Date
June 4, 2002First Named Inventor
Edmond D. Roussel et al.Examiner Name
Irene MarxArt Unit
1651Attorney Docket No.
HER0050

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:Deposit Account Number
02-0385Deposit Account Name
BAKER & DANIELS

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)		(\$)			55.00

2. EXTRA CLAIM FEES FOR UTILITY AND

	Extra Claims	Fee from below	Fee Paid
Total Claims	<input type="text"/> -20** = <input type="text"/> 0	X <input type="text"/>	= <input type="text"/> 0.00
Independent Claims	<input type="text"/> -3** = <input type="text"/> 0	X <input type="text"/>	= <input type="text"/> 0.00
Multiple Dependent	<input type="text"/>		= <input type="text"/>

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)		\$0.00	

**or number previously paid, if greater; For Reissues, see above/

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
\$55.00

Complete if applicable

Name (Print/Type)	Anthony Niewyk	Registration No. (Attorney/Agent)	24,871	Telephone	260-424-8000
Signature				Date	February 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

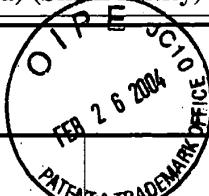
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.

HER0050

In Re Application Of: Edmond D. Roussel et al.



RECEIVED
MAR 03 2004

Serial No.
10/031,477

Filing Date
June 4, 2002

Examiner
Irene Marx

Group Art Unit
1651

Invention: USE OF PROPIONIC BACTERIA FOR PRODUCING PROPIONIC ACID AND/OR PROPIONATES IN
THE COLON

TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of December 23, 2003 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: January 23, 2004 Date until: February 23, 2004 Date

A verified statement of small entity status as a small entity under 37 CFR 1.27:

is enclosed.
 has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	9 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$55.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$55.00

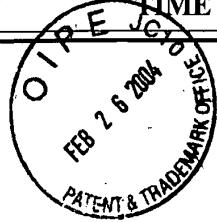
03/02/2004 MMKONEN 00000089 10031477

01 10:2251

55.00 OP

COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)

Docket No.
HER0050



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MAR 03 2004

The fee for the amendment and extension of time is to be paid as follows:

A check in the amount of \$55.00 for the amendment and extension of time is enclosed.

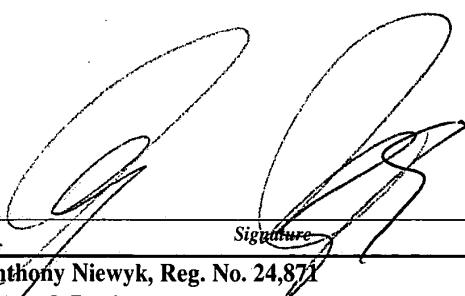
Please charge Deposit Account No. in the amount of \$55.00

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-0385

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-0385

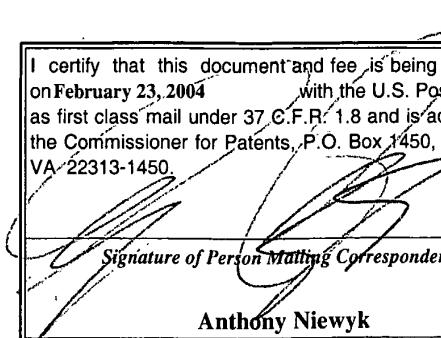

Signature

Dated: February 23, 2004

Anthony Niewyk, Reg. No. 24,871
Baker & Daniels
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

CC:

I certify that this document and fee is being deposited on February 23, 2004, with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence
Anthony Niewyk
Typed or Printed Name of Person Mailing Correspondence